

Application No.: 10/805,224

Docket No.: 21854-00019-US1

REMARKS

Receipt of the Office Action mailed September 28, 2005 is acknowledged. Claims 1 and 20 have been amended to recite a composition consisting essentially of particular components in percent by weight. New claims 21-25 have been added and are drawn to a film. No new matter has been added. Entry of the amendment and favorable reconsideration are earnestly solicited.

Claims are 11-17 and 20-25 are pending for reexamination. Since claims 18 and 19 are withdrawn from consideration but are drawn to a method of making the composition of the Group I claims. Hence, rejoinder of claims 18-19 is requested after allowance.

The Interview

The Applicant gratefully acknowledges the courtesy extended to their Representatives in an interview conducted recently. The content of the interview is accurately reflected on the Interview Summary Record.

Claims Rejections – 35 USC §112

Claims 11-17, 20 and 21 were rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is respectfully submitted this issue is now moot in view of the instant amendment to claims 1 and 20.

Claims Rejections – 35 USC §102 and §103

Claims 11-17, 20 and 21 were rejected under 35 USC 102(e) as allegedly anticipated by or, in the alternative, under 35 USC 103(a) as being obvious over Peltonen et al (US 6,780,903) or Haasmaa et al (US 6,656,984), both newly cited.

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Claims 11-17, 20 and 21 were rejected under 35 USC 103(a) as allegedly being unpatentable over Silbiger et al (US 6,248,838)¹, newly cited, taken in view of Buehler et al (US 5,316,578) and Frische et al (US 5,374,304).

These rejections are respectfully traversed for at least the following reasons.

The present claims 11-25 all recite language that would necessarily remove the claimed invention from the concept of dispersions, as the references to Peltonen et al and Haasmaa et al are apparently drawn. Further, claims 11-25 also now recite "consisting essentially of" to eliminate components that affect the basic and novel properties of the composition, namely components that would prevent the composition to be used for thermoformed packaging products (claims 11-20) or for films (claims 21-25).

Since the Peltonen et al and Haasmaa et al references are drawn to dispersions, the rejection of the instant claims based on this combination of references is now untenable.

Further, the rejection of the claims as made with Silbiger et al is now moot since an amendment has been made to exclude the addition of other components, as required by Silbiger et al, thus removing that ground of rejection.

In view of the above amendment, applicant believes the pending application is in condition for allowance. Should the Examiner wish to discuss this case or propose any suggestions for placing the application in more suitable form for allowance, the Examiner is invited to contact the office of the undersigned attorney of record.

¹ The Silbiger patent number is US Patent No 6,284,838.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21854-00019-US1 from which the undersigned is authorized to draw.

Dated: December 1, 2005

Respectfully submitted,

By Susan E. L. McBee

Susan E. Shaw McBee

Registration No.: 39,294

CONNOLLY BOVE LODGE & HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant